

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**KING & KING, CHARTERED**

**Plaintiff,**

**v.**

**HARBERT INTERNATIONAL, INC.,  
et al.**

**Defendants.**

**Civil Action No. 06-324 (JDB)**

**ORDER**

Upon consideration of [12] & [13] defendants' motions to dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, the parties' memoranda in support and in opposition thereto, and the entire record, and for the reasons stated in the memorandum opinion issued on this date, it is this 26th day of June, 2006, hereby

**ORDERED** that the motions are **GRANTED**; it is further

**ORDERED** that plaintiff's Second Amended Complaint is **DISMISSED** for failure to state a claim upon which relief may be granted; and it is further

**ORDERED** that [27] defendants' motion to strike portions of the Second Amended Complaint is **DENIED** as moot.

/s/ John D. Bates  
JOHN D. BATES  
United States District Judge

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